

April 14

AMOUNTS TO BACKDOWN.

So Say the Newfoundland Opponents of Premiers Bond.

Of His Clause To Terminate Exclusion Bill at Will.

A St. John's, N. F., dispatch of yesterday says: "Premier Bond in the colonial legislature tonight, added to the bill excluding American fishermen from colonial waters the new clause providing for the suspension of the operation of the measure at the discretion of the government. In doing so, he declared he had reason to believe that before the next session of the colonial legislature is convened, the United States senate will have acted upon the Bond-Hay treaty, in which event it was desirable that the colonial cabinet should possess the power to move promptly for the suspension of the measure.

"Premier Bond also stated it might be found desirable to impose an export duty on herring conveyed from colonial waters in American bottoms rather than to absolutely exclude the American fishermen.

"The opponents of the Bond bill claim the clause added tonight amounts to a backdown on the part of the government, which, they say, has found that its interpretation limiting American fishing rights under the treaty of 1818 to the coasts and not to the inlets, is untenable."

Landed a Big Codfish.

Capt. Lorenzen of the sloop E. A. Hooper of this port brought in the prize codfish to T wharf yesterday. The fish was a monster in appearance, with a head like that of a good-sized swordfish. It was caught off Halfway rock Wednesday afternoon. It weighed 83 pounds dressed, and, according to fishermen who saw it, must have weighed nearly 100 pounds when caught. The fish measured almost six feet in length. It was bought by one of the wholesale houses, and sold immediately to a retail dealer in the Back Bay.

EIGHTY CENTS EACH.

Edward O. Brown Had Barrel of Fresh Mackerel Yesterday.

Mr. Edward O. Brown, the Main street fish dealer, had a barrel of fresh mackerel come from New York yesterday, the fish being a part of the fare of sch. Veda M. McKown. The fish were fine large ones and came through in good order. They retailed at 80 cents each.

Halibut Sales.

The fare of sch. Corona sold to the American Halibut Company and that of sch. Massachusetts to the New England Fish Company each at 9 cents per pound for white and 7 cents for gray.

April 15

Pollock at Provincetown.

The first pollock of the season at Provincetown was taken on Tuesday, when the steamer Water Witch secured 17,000 pounds off Long Point. The trip was taken to Boston and brought a good price, bringing 4 cts. per pound. On Wednesday the harbor traps contained from 20,000 to 30,000 pounds each.

April 15

DISCUSSED VESSEL ACT.

Interesting Proceedings in Newfoundland Legislature.

Considerable Opposition to Retaliatory Legislation.

The following concise synopsis of the speeches in the Newfoundland legislature on the introduction of Premier Bond's exclusion bill, together with the full text of the bill, are reprinted from the St. John's, N. F. Herald, and will be found interesting reading:

"The House plunged into the discussion of the Foreign Fishing Vessels or Anti-American bill. The premier moved the second reading of this measure in a luminous and exhaustive speech of two hours' duration, in which he reviewed the inception and growth of the whole Atlantic fisheries question from the days prior to the American Revolutionary war down to the present time, with a clear exposition of the details of the several treaties between Britain and America at various times intervening, and their scope and meaning, down to the Bond-Hay treaty.

"The Premier first explained the purport of the new act, which excludes American vessels from our waters and concessions, and abolishes all licenses. He then dealt with the arguments of the Gloucester fishing interests presented to the U. S. senate two years ago, showing how false and misleading they were. The Halifax fishery award 20 years ago gave us a million dollars from the United States for the baiting and outfitting rights on our coast for ten years.

"The American consul, Dwight Foster, be-

fore that tribunal admitted that his countrymen had no right to engage in the herring fishery because that is a strand fishery. Sir Robert read the treaty of 1818, and advanced a new construction of it—that inasmuch as it gave the Americans only the right to fish along our "coast," whereas it gives them a right to fish in the bays and harbors and creeks of Labrador, it followed that they have no right to fish in the bays, harbors and creeks of Newfoundland, have no right to enter our harbors for fish or bait, and therefore the herring fishery will be transferred to the British flag. The new bill will deal with this and cancel rights assumed by the Americans in violation of the treaty of 1818, and will place our people in absolute control of the fisheries of the colonies.

"He scored very strongly the claim of the Yankee fishermen that we were paupers and depended on them for a livelihood, and also their boast that Gloucester was a navel nursery, quoting figures to show that out of 8000 "American" fishermen 4000 were Newfoundlanders and most of the others Canadians, Portuguese and Scandinavians, and that in the Cuban war Gloucester enlisted only 300 bluejackets while Boston enlisted 1700. He also recited the details of the fraud practiced on the American treasury by the smuggling into American ports of winter herring from our waters on the plea that it is a product of the American fisheries, thereby causing a loss to their treasury of \$80,000 a year in duty which should be levied on the fish.

"He argued that we hold the key to these Atlantic fisheries and supported this by showing that in 1838 we passed an act to prevent the encroachment of aliens in our fisheries, a similar act was passed by Nova Scotia in 1838 and on an address to the queen a naval force was sent out to exclude or seize these trespassing vessels. Again, when in 1861 and 1886 the Americans abrogated reciprocity treaties arranged to enable them to enjoy for ten-year periods the privileges of inshore fishing, they soon found themselves obliged to seek makeshift arrangements till new treaties could be

April 15

63

effected, so as to prevent the disaster to their fishing industry, which exclusion would involve.

"In conclusion, he declared very emphatically that this was not an attempt to strike a blow at the American government or people, but an act of wisdom, deliberately arrived at from a desire to demonstrate to those who are opposing us in Gloucester that they are wrong in maintaining they can do without our bait, but that our privileges are great and can do much harm to Gloucester and the New England fishermen. There is wisdom in reciprocity, he declared, but folly in aid monopoly, and the New England fishermen are the worst of monopolists. The American government has treated us generously and manifested a wise, honest and just spirit towards Newfoundland, and if it lay in the power of President Roosevelt, Secretary Hay and others, we would have reciprocity now. But the senate had been deluded by representation, and now it behooved us to show the American people that they were deceived by the Gloucester fishermen and to prove to the Gloucester fishermen what a mistake they were making.

"Mr. Morine moved that the bills be read this day six months, and in doing so criticised at length the bill and the Premier's speech. Regarding the latter's new interpretation of the treaty—that (the Americans had only a right to fish along the coast and not in the bays harbors or creeks—he argued that it was untenable, because the "coast" comprehended all inlets and if any other view had any force it would surely have been discovered by the eminent jurists and statesmen who had been construing this treaty for nearly 90 years; and even if it had any theoretical force, the fact both countries Britain and America have acted upon a different interpretation, during all that long period, would deprive the suggested alternative of any practical value now.

"Mr. Morine went further and contended that not only had the Americans the right to fish in the bays, harbors and creeks on our south and west coast where the treaty of 1818 was operative, but they had also the right to land on the strand to haul their nets, even though such right was not specifically conceded to them in the treaty, quoting legal authorities to prove that as the right to do any principal thing included the right to do any lesser things incident thereto, the right to fish included every incidental and subsidiary right necessary to the fullest exercise of that liberty. Therefore the Americans had a full right to pursue the winter herring fishery on the West Coast, and we had no power to stop them.

"We could, it is true, prevent our own people from selling them herring, as now, but that would merely mean that our people would go down by rail from Bay of Islands to Port-aux-Basques, cross to Sydney in the Bruce, and shipping on board the American vessels there, return to Bay of Islands and catch herring for the Americans as before. But it would be with this difference—that the status of our people would be worsened, because then they would be working on wages for the Americans, and would make but a pittance, whereas now we can sell herring at our own place, with a legal measure and under regulations which place the Americans under our absolute control.

In like manner, he contended that the Americans have a full right to take bait on our south and west coasts, from Ramea to Quirpon, passing round Cape Ray, and that we cannot interfere with them in the exercise of that right; therefore they will get all the bait they can there and the present bill may drive them into an alliance with the French, whereby St. Pierre may be made the location of large bait freezers and French and American vessels baited, our bait act being nullified and St. Pierre eventually becoming an American colony.

"Mr. M. P. Cashin seconded the amendment. He spoke as a practical fisherman, and displayed a marked knowledge of the industrial aspects of the question in his half-hour's speech. He said he was elected a few months ago to uphold the interests of his constituents, and therefore could not support this bill, which tended to seriously injure them. He opposed it because it provided no compensation for the people of this colony who would be deprived

62x

April 15

April 15

April 15

of their livelihood if the bill passed. The American fishermen now take 60 or 70 cargoes of herring out of our waters every winter and spend \$150,000 among our people every summer in buying bait, ice and supplies. These two sums are as good to our people as 100,000 quintals of fish in an ordinary year, and yet it is proposed to exclude the Americans, to destroy these sources of revenue for our fishermen, to take the bread out of our people's mouths, and no compensation whatever is provided for them.

"Mr. Cashin contended that the only effect of the bill would be to turn the bait traffic over to the Canadians and ruin ourselves. The Canadians have the same fishing rights in our waters as we have, and can take herring on the West Coast every winter, bring it to Canis and other points and put it in cold storage there and sell it to the Americans in the spring for bait with which to fish on the Banks. The Canadians are actually doing this now, and there are Gloucester vessels on our coast today fishing with frozen herring brought from Bay of Islands last winter to Canis and now taken out of Canadian bait freezers, while our own people are fishing alongside them with frozen squid.

"Under this new bill the Canadians will go into this trade much more extensively to our detriment. He then read an extract from a Canadian paper, showing that the Nova Scotians were now advocating for the abolition of all restrictions on American fishing vessels and free opening of their ports to them for the purchase of bait and supplies, hiring of crews and transshipping of cargoes on the ground that the money that the Americans would spend thereby would far more than compensate the Canadian people for the license fee of \$1.50 per ton now exacted, and he contended that as soon as we shut the Americans out the Canadians would let them in.

"He further contended that the Americans could, if forced, do without the baiting privileges we grant them, because even now a large fleet of American vessels fishes in Fleming Cap without resorting to our waters at all, using cod, cut up, as bait with which to catch bigger fish, and securing even better catches thereby than could be got with fresh bait, a fact which, strange though it might seem, other practical fishermen sitting in this House could attest the truth of.

"He denied that the alleged shortage of bait was as great as represented, contending that seven years out of ten squid are abundant on the banks from June till October. He further instanced the decline of our own Bank fishery in twenty years. Then Bay Bails had 30 bankers; now it has none. Then Placentia and Bonavista had large fleets while now they have scarcely any, and he quoted facts and figures to show how natural causes operated to vary the fisheries, concluding with the intimation that for the above reasons he must vote against the bill.

"The motions were then put and there appeared: For the bill, 19, Messrs. Jackman, Dawe, Clift, Gushue, Barnes, Bennett, Bonia, Carty, Clapp, Ellis, Hutchings, Kent, Lloyd, Maddock, Martin, Oke, Sullivan; for the amendment, 6, Messrs. Morine, Cashin, Mackay, Chaplin, Moulton and Blanford.

The full text of the new "Foreign Fishing Vessels" bill is as follows:

1. Any justice of the peace, sub-collector, preventive officer, fishery warden or constable may go on board any foreign fishing vessel being within any port on the coasts of this island or hovering in British waters within three marine miles of any of the coasts, bays, creeks or harbors in this island and may bring such foreign fishing vessels into port, may search her cargo and examine the master upon oath touching the cargo and voyage; and the master or person in command shall answer truly such questions as shall be put to him, under a penalty not exceeding \$500. And if such foreign fishing vessel has on board any herring, caplin, squid or other bait fishes, ice, lines, seines or other outfits or supplies for the fishery purchased within any port on the coast of this island or within the distance of three marine miles from any of the coasts, bays, creeks or harbors of this island, or if the master of the said vessel shall have engaged or attempted to engage any person to form part of the crew of the said vessel in any port or on any part of the coasts of this island or has entered such waters for any purpose not permitted by treaty or convention for the time being in force, such vessel and the tackle, rigging, apparel, furniture, stores and cargo thereof shall be forfeited.

2. All goods and vessels and the tackle, rigging, apparel, furniture, stores and cargo thereof liable to forfeiture under this act may be seized and secured by any officer or person mentioned in the first section hereof and every person opposing any such officer or person in the execution of his duty under this act or aiding or abetting any other person in such opposition shall be deemed guilty of a misdemeanor and liable to a fine of \$500.

3. In any prosecution under this act the presence on board any foreign fishing vessel in any port of this island or within British waters aforesaid of any caplin, squid or other bait fishes, of ice, lines, seines or other outfit of supplies for the fishery shall be prima facie evidence of the purchase of the said bait fishes and supplies and outfits within such port or waters.

4. All offenders against the provisions of this act may be prosecuted and convicted and all fines, forfeitures, penalties and other punishments imposed recovered and made in a summary manner before a stipendiary magistrate. For the purposes of this act all stipendiary magistrates shall be deemed to be stipendiary magistrates for the Colony and may exercise the jurisdiction given by this act in any part of the colony.

5. If any person convicted under this act shall feel himself aggrieved by such conviction, he may appeal therefrom to the next sitting of His Majesty's supreme court, holden in or nearest the place where such conviction shall have been had, or in St. John's: Provided notice of such appeal and of the cause and matter thereof be given to the convicting magistrate in writing, within seven days next after such conviction, and the party desiring to appeal shall also, within fourteen days after such notice, give and enter into recognizance with two approved sureties before the convicting magistrate conditioned for the appearance of the person convicted at such next sitting of the supreme court, on the first day of such sitting, for the prosecution of the appeal with effect and without delay, to abide the judgment of the court thereon, and for the delivery and surrender of any vessel or other property ordered to be confiscated, and pay such costs as the court may award.

6. No proceeding or conviction by, nor order of, any magistrate or other officer under this act, shall be quashed or set aside for any informality, provided the same shall be substantially in accordance with the intent and meaning of this act.

7. Nothing in this act shall affect the rights and privileges granted by treaty to the subjects of any state in amity with His Majesty.

8. In this act the word "vessel" shall include any boat or ship registered or not registered, jack, skiff, punt or launch, whether propelled by sails, oars or steam.

9. The act 56 Vic. Cap. 6, entitled "An Act Respecting Foreign Fishing Vessels" is hereby repealed."

DAILY TIMES FISH BUREAU.

To-day's Arrivals and Receipts.

Sch. Ella G. King, Georges, 25,000 lbs. cod, 1600 lbs. halibut.

Sch. Edwin B. Holmes, Georges, 30,000 lbs cod, 1500 lbs. halibut.

Sch. Arcadia, via Boston, 40,000 lbs. fresh fish.

Sch. Fanny Belle Atwood, via Boston, 100,000 lbs. fresh fish.

Sch. O. F. Kilham, via Boston, 50,000 lbs. fresh fish.

Sch. Moaniam, via Boston, 50,000 lbs. fresh fish.

Sch. Kernwood.

Sch. Squanto, via Boston.

Today's Fish Market.

Board of Trade prices for salt and fresh fish:

Salt fish, handline Georges cod, \$5.00 per cwt. for large, \$4.00 for medium; trawl Georges cod, \$4.25 for large, \$3.25 for medium; trawl Bank cod, \$4.00 for large, \$3.50 for medium; hake, \$1.25; pollock, \$1.25; haddock, \$1.75; large cusk, \$2.50.

Fresh fish, large cod, \$2.25; medium cod \$1.75; all cod caught to the eastward of La Have bank, \$2.25, medium \$1.62 1-2; cusk, \$1.75; haddock, \$1.15; hake, 90 cts.; pollock, 70c; snapper codfish, 60 cts.; snapper cusk, 60 cts.

Bank halibut, 9 cts. per lb. for white and 7 cts. for gray.

Boston.

Sch. Etta Mildred, 15,000 haddock, 500 cod.

Sch. Annie Perry, 20,000 haddock, 3,000 cod.

Sch. Motor, 2,000 haddock, 400 cod, 45,000 pollock.

Sch. Buena, 5,000 haddock, 2,500 cod, 14,000 hake, 2,000 cusk.

Sch. Helen B. Thomas, 19,000 haddock, 300 cod.

Sch. Emerald, 8,000 haddock, 500 cod.

Sch. Metamora, 50,000 haddock, 15,000 cod.

Sch. Mattie D. Brundage, 10,000 haddock.

Haddock, \$1.75 to \$2.40; large cod, \$3.50 to \$3.75; market cod, \$2 to \$3; hake, \$1.50 to \$3; pollock, \$1.12 1-2; cusk, \$1.50.

Fishing Fleet Movements.

Sch. Eglantine baited at Edgartown Thursday. Alewives \$1 per hundred and now plenty. Sch. Eglantine took 24,000 in count.

Sch. Maxine Elliott of this port was at Channel, N. F., yesterday. All on board were well.

Sch. M. S. Ayer sailed from Portsmouth yesterday.

Sch. Rebecca of Boston, which has been hauled up here all winter, will now be fitted for southern seining under command of Capt. Frank Perry.

Capt. Geoffrey Thomas will now fit sch. Arcadia for southern mackerel seining.

LARGE MACKEREL CATCH.

The Days When These Desirable Fish Were Plentiful.

From a list in our possession, we find that the largest inspection of mackerel in the state was in 1831, when 383,658 barrels were inspected; 1851 comes next with 329,441 barrels; 1870, 318,520; 1848, 317,101; 1830, 308,485; 1863, 306,941; 1834, 273,355; 1862, 260,863; 1871, 259,414; 1874, 258,359; 1881, 256,173; 1817, 254,917; 1825, 254,481; 1880, 252,538; 1828, 237,324.

The price of mackerel in 1831 was \$5.75 for No. 1s, \$4.75 for No. 2s; and \$2.62 for No. 3s. In 1835 they advanced to \$7, \$6 and \$4; in 1836, \$9, \$8 and \$5; in 1838, \$11, \$9.25 and \$5.50; in 1839, \$12.50, \$10.50 and \$7; in 1840, \$12.75, \$10.50, \$5.50; in 1845, \$13, \$10.50, \$6.87; in 1854, \$15.00, \$12.25, and \$5; in 1858, \$15.50, \$12.50, and \$8.50; in 1860 \$16.87, \$11, \$8; in 1864, \$30 and \$20.

The Gloucester inspection shows up most satisfactorily in some instances of the large catches, showing a full fifty per cent. of the entire state inspection.

POOR CATCH OF SEALS.

St. Johns, April 15.—Steamers Labrador, Viking and Aurora are back in port with small catches of seals. They report the sealing prospects unimproved, the outlook being most unfavorable. It is probable the total catch will not exceed 160,000 seals.

April 17

Halibut at Boston.

Sch. Senator, Capt. Nathaniel Greenleaf, of this port arrived at Boston yesterday from Quero bank with a good trip, 25,000 pounds of halibut, 15,000 pounds of cod and 5000 pounds of hake. The vessel carried her flag at half mast in respect to the memory of Michael Campbell, one of her crew, who died while on the trip and whose body was landed at Halifax and buried, as previously reported in the Times.

Capt. Greenleaf reports a great amount of field ice on Quero bank.

Sch. Grampus Here.

The U. S. F. C. sch. Grampus, Capt. Hanson, arrived here yesterday from Woods Hole and will fit out for her annual cruise on the Maine coast, securing seed lobsters. Capt. Hanson reports quite a heavy snow squall off Cade Cod early Saturday morning.

Big Trip.

Sch. Flora Nickerson, Capt. Jettero Nickerson, is at Boston this morning with a fine trip, 110,000 pounds of fresh fish.